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PTO/SB/21 (08-00)

## TRANSMITTAL FORM

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/690,840	
	<b>Filing Date</b>	October 23, 2003	
	<b>First Named Inventor</b>	Hitomi USHITANI et al.	
	<b>Group Art Unit</b>	2891	
	<b>Examiner Name</b>	Bradley Smith	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	0756-7213

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosures 1. 2. 3. 4. 5. 6.
<b>Remarks</b>		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm or Individual name</b>	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
<b>Signature</b>	
<b>Date</b>	June 23, 2006

### CERTIFICATE OF MAILING

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<b>Type or printed name</b>	Adele M. Stamper		
<b>Signature</b>		<b>Date</b>	June 23, 2006

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Attorney Docket No. 0756-7213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Hitomi USHITANI et al.  
Serial No. 10/690,840  
Filed: October 23, 2003  
For: SEMICONDUCTOR APPARATUS  
AND METHOD FOR  
MANUFACTURING THE SAME

) Group Art Unit: 2891

) Examiner: Bradley Smith

) CERTIFICATE OF MAILING

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) Adam M. Stampu

**RESPONSE**

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed March 23, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on October 23, 2003; and December 16, 2004.

Claims 1-8 and 12-27 are pending in the present application, of which claims 1-8 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-8 and 12-19 as obvious based on U.S. Patent Application Publication No. 2005/0087772 to Yamazaki. It further appears that the Official Action relies on Jaeger, "Introduction to Microelectric Fabrication," Volume 5, 1993, pages 18-19 and 91-95, to support the rejection. Although Jaeger is cited on Form PTO-892, it is unclear whether the Jaeger reference is intended to be part of the alleged *prima facie* case of obviousness. In any event, the Applicant respectfully